

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

MICHAEL TOLENTINO, JUAN	§	
PACHECO, JAVIER GARCIA,	§	
INDIVIDUALLY, AND ON BEHALF	§	
OF ALL OTHERS SIMILARLY	§	
SITUATED,	§	
	§	
Plaintiffs,	§	
	§	Civil Action No. 2:09-cv-326
VS.	§	
	§	JURY TRIAL DEMANDED
	§	
C & J SPEC-RENT SERVICES,	§	COLLECTIVE ACTION
INC.	§	PURSUANT TO 29 U.S.C. 216(b)
	§	
Defendant.	§	

NOTICE OF SETTLEMENT

TO THE HONORABLE UNITED STATES DISTRICT COURT:

Plaintiffs Michael Tolentino, Juan Pacheco, Javier Garcia, Individually, and on Behalf of all Others Similarly Situated, file this Notice of Settlement in the above-styled and numbered matter, and show as follows:

1. This FLSA case is set for a jury trial in this Court on Tuesday, November 2, 2010. There is also a pending motion for partial summary judgment.
2. On September 27, 2010, the Plaintiffs and Defendant mediated this case for a second time, with Marvin Nebrat. The mediation resulted in a compromise

and settlement of all claims for the Plaintiffs' damages for unpaid overtime and all claims for the Plaintiffs' court costs and attorneys' fees.

3. The parties will be filing the formal settlement documents, affidavits for costs and attorneys' fees, and joint motion to dismiss the suit within the next few days.

4. Accordingly, the parties respectfully request that the Court take notice of the settlement and remove this case from the Court's trial docket of November 2, 2010.

Respectfully submitted,

s/Jon D. Brooks

Jon D. Brooks

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Certificate of Service

I do hereby certify that a true and correct copy of the above and foregoing was served upon Defendant's counsel of record, as indicated below, by electronic mail from the clerk of the court, on this 27th day September, 2010, as permitted by the Rules:

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s/Jon D. Brooks

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